
A STUDY ON GENDER INEQUALITY IN WORKSPACE

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Introduction

The gender pay gap remains a persistent issue in many legal systems worldwide, reflecting broader societal inequalities between men and women. Despite progress in gender equality, women, on average, continue to earn less than their male counterparts across various sectors, including the legal profession. This disparity not only underscores ongoing discrimination but also reveals deeper structural issues within workplaces, such as unequal access to promotion opportunities, barriers to negotiation, and the undervaluation of work traditionally performed by women.

In the legal profession, where meritocracy is often emphasized, the ongoing gender pay gap raises important questions about fairness, equity, and the effectiveness of existing legal frameworks aimed at combating gender discrimination. The issue is further complicated by factors like race, age, and parental status, which can intensify the wage disparities experienced by women.

Addressing the gender pay gap requires a comprehensive strategy that includes strong legal measures, transparent pay practices, and cultural changes within organizations. Legal research in this area not only illuminates the extent and causes of the gender pay gap but also plays a vital role in shaping policies and practices that advance gender equality in the workplace. Through legal analysis, scholars and practitioners can evaluate the effectiveness of current legislation, the impact of litigation on pay disparities, and the potential for new laws and regulations to close the gap.

Objectives

To address gender imbalances in the workplace are:

To Promote Equal Opportunity: Ensure all employees, regardless of gender, have equal access to management positions, job opportunities, and promotions.

To Eliminate the Pay Gap: Close the gender pay gap by implementing fair and transparent pay practices.

To Prevent Harassment and Discrimination: Enforce robust policies and training to combat and address gender-based discrimination and harassment.

Gender pay gap

The gender pay gap, or gender wage gap, is the average difference in earnings between men and women in the workforce, with women generally earning less than men. This disparity is rooted in a combination of legal, social, and economic factors. The consequences of the gender pay gap extend beyond individual grievances, contributing to reduced economic output, lower pensions for women, and limited learning opportunities.

In developing countries, the gender pay gap is particularly problematic from a public policy perspective, as it not only diminishes economic output but also increases the likelihood that women will rely on welfare payments, especially in old age. The International Labour Organization (ILO) estimates that, on average, women globally are paid about 20 percent less than men, with significant variations across countries—from over 45 percent in some to negligible differences in others. While some nations have made progress in closing the gap, others have seen little change. The gender pay gap remains a clear indicator of inequality between men and women, despite widespread legislation intended to ensure equal pay for equal work. The ILO's Equal Remuneration Convention of 1951 is one of the most ratified conventions, yet the gap persists. The World Economic Forum estimates it could take 202 years to close the global gender pay gap if current trends continue.

The gender pay gap is a symptom of broader gender inequality and structural discrimination. Despite increased participation of women in the labor market and higher levels of education, these factors alone have not been sufficient to eliminate gender-based segmentation in employment. Gender discrimination remains pervasive throughout the employment process, affecting everything from hiring to promotion, pay, and working conditions.

Gender discrimination occurs when an individual is treated unfairly in the workplace due to their sex or gender. Common examples include failure to promote, unequal pay, biased job assignments, and receiving less support from supervisors—practices that are illegal under most anti-discrimination laws.

Despite progress toward gender equality, many workplaces continue to struggle with gender discrimination, bias, and harassment, creating hostile environments for workers. Persistent issues include unequal pay, stereotyping and bias, barriers to promotion and advancement,

sexual harassment, pregnancy discrimination, unequal opportunities, retaliation, hostile work environments, and discriminatory dress codes and appearance standards.

Overall, while efforts to address gender inequality in the workplace have made headway, significant challenges remain. The persistence of the gender pay gap and widespread discrimination highlight the need for ongoing vigilance and comprehensive strategies to promote true gender equality in the workforce.

Representation of women in leadership

Women have consistently faced greater challenges than men in fully participating in the economy. Across various regions and income levels, disparities persist in the form of pay gaps, limited opportunities for advancement, and unequal representation in key decision-making roles.

Despite ongoing efforts to promote gender equality in the workplace, women remain underrepresented in leadership positions. This lack of diversity not only limits organizations' potential for growth but also reinforces gender biases. A detailed analysis of leadership gender representation in the United States and Canada, focusing on the Technology, Information, and Media industries using LinkedIn data, highlights the urgent need for policies that promote gender diversity. Such policies should include expanding the talent pool by hiring based on skills rather than solely on employment history or degrees, supporting flexible work arrangements like remote work to accommodate all employees, and removing barriers that hinder women from advancing into leadership roles.

In many industries, women encounter obstacles that impede their career progression, leading to a disproportionate number of men in top positions. Although women are achieving parity with men in entry-level roles and even surpassing them in some sectors, their representation in leadership remains significantly lower due to various biases that stifle their advancement.

Women are powerful agents of change, and the far-reaching benefits of diversity and gender parity in leadership and decision-making are increasingly recognized across all sectors. Yet, women continue to be underrepresented in decision-making roles in politics, business, and communities. The time has come for the world to acknowledge the advantages of women in leadership and to make a concerted effort to place more women in positions of power.

Achieving gender parity in leadership is not just about fairness; it is essential for fostering innovation, driving growth, and ensuring that diverse perspectives shape the future. By

committing to gender diversity at the highest levels of decision-making, organizations and societies can unlock the full potential of their workforce and create a more inclusive and equitable world.

Affirmative actions and quotas

Gender affirmative action (AA) in management is a contentious issue among scholars, practitioners, and employees. While some individuals support AA policies as a way to increase the representation of women, others view them as an unacceptable violation of merit, even if they benefit from such policies. To understand how scholars have approached this topic, by systematically reviewing 76 published articles from the SCOPUS database, covering the existing literature on gender AA and management. The findings reveal a consensus on the common factors influencing attitudes toward gender AA, including prior experiences with AA, diversity management, and general perceptions of AA. Performance and satisfaction emerged as the most common outcomes.

Affirmative action and quotas are both strategies designed to address gender inequality in the workplace, but they differ in their approaches and legal implications. Here's a breakdown:

Potential Benefits:

Affirmative action policies can help to counteract historical discrimination and create more equitable opportunities for women.

Promoting gender diversity through affirmative action can lead to a more representative workforce, fostering diverse perspectives and ideas.

Affirmative action policies should be carefully tailored to the specific needs of the organization and the context of gender inequality within that industry.

Transparent communication about the goals and rationale behind affirmative action initiatives is crucial for building trust and addressing concerns about fairness.

It is essential to focus on hiring and promoting qualified individuals; affirmative action should complement, not replace, efforts to ensure equal opportunity for all.

Affirmative action should be part of a broader strategy to address systemic barriers faced by women in the workplace, such as unconscious bias in hiring and promotion processes.

Overall, affirmative action can be an effective tool for addressing gender inequality in the workplace when thoughtfully implemented as part of a comprehensive strategy for promoting

diversity and inclusion.

Conclusion

The five strategies to prevent gender inequality in the workplace:

1. **Implement Equal Pay Policies:** Ensure that men and women receive equal pay for equal work by regularly reviewing and adjusting compensation practices to eliminate pay disparities.
2. **Promote Inclusive Hiring and Promotion Practices:** Adopt gender-neutral job descriptions and ensure diversity in hiring panels to avoid biases. Create clear, transparent criteria for promotions to ensure equal opportunities for all employees.
3. **Provide Training on Gender Bias:** Conduct regular training sessions for employees and management to raise awareness about unconscious gender biases and how to address them in decision-making processes.
4. **Support Work-Life Balance:** Offer flexible working hours, parental leave for both genders, and childcare support to create a more balanced and inclusive workplace where both men and women can thrive.
5. **Establish Strong Anti-Discrimination Policies:** Implement and enforce clear policies against gender discrimination and harassment, providing safe and confidential reporting mechanisms, and taking immediate action when issues arise.

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